

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jeffrey S. Flier and Christian Bjorbaek

Application No.: 10/040,277

Group: 1623

Filed: October 22, 2001

Examiner: Not Assigned

METHODS AND COMPOSITIONS FOR MODULATING CILIARY  
NEUROTROPHIC FACTOR ACTIVITY



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202

on 5-22-02 Hollie Wakefield.  
Date Signature

HOLLIE WAKEFIELD

Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated March 22, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

**EXECUTED DECLARATION FOR PATENT APPLICATION**

*(Separate transmittal letter and postcard not required)*

**POWER OF ATTORNEY DOCUMENT**

**GRANTED BY INVENTOR(S)**

**GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

*(Separate transmittal letter and postcard not required)*

**PRELIMINARY AMENDMENT**

*(Separate transmittal letter and postcard not required)*

**FILING FEE - with Fee Transmittal for Patent Applications in duplicate**

Fee calculations based on:

Claims as originally filed

Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]  
*(Separate transmittal letter and postcard not required)*

**SURCHARGE - surcharge fee of \$65.00.**

*(Separate transmittal letter and postcard not required)*

**SEQUENCE LISTING** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

 **SUBSTITUTE DRAWINGS**

Sheets of substitute drawings consisting of Figs. 1 - [ ] are enclosed  
*(Separate transmittal letter and postcard not required)*

 **PETITION FOR EXTENSION OF TIME**

Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ]

The appropriate fee of \$[ ] is included in the enclosed check

A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee

Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

 **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

 **STATEMENT CLAIMING SMALL ENTITY STATUS**

Was filed on [ ]

Is enclosed herewith

*(Separate transmittal letter and postcard not required)*

In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of **\$690.00**. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Sandra A. Brockman  
Sandra A. Brockman  
Registration No.: 44,045  
Tel.: (978) 341-0036  
Fax: (978) 341-0136

MAY 29 2002


**EE TRANSMITTAL FOR  
PATENT APPLICATIONS**

Attorney Docket Number	1440.1042-004
Application Number	10/040,277
First Named Inventor	Jeffrey S. Flier

## CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (i))	25 - 20* =	5		x \$ 18 =	\$ 90
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	8 - 3** =	5		x \$ 84 =	\$ 420
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
			Total of above Calculations =		\$ 1250
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$ 625
				TOTAL =	\$ 625
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 65
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$
			Assignment Recordation Fee = (only when filed with application)		\$
* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =		\$ 690

## 1. Small entity status:

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c.  Is no longer claimed.

2.  A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3.  A check is enclosed for \$690.00.  Please charge \$[ ] to Deposit Account No. 08-0380.

4.  Other: \_\_\_\_\_

\_\_\_\_\_

Signature	Sandra A. Brockman	Date	May 22, 2002
Submitted by Typed or Printed Name	Sandra A. Brockman	Reg. Number	44,045



MAY 29 2002  
UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT & TRADEMARK OFFICE

COPY

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/040,277	10/22/2001	Jeffrey S. Flier	1440.1042-004

CONFIRMATION NO. 9612

FORMALITIES LETTER



OC000000007701122

Doreen M. Hogle, Esq.  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road  
P.O. Box 9133  
Concord, MA 01742-9133

Date Mailed: 03/22/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/31/2002 ZJUXXR1 00000063 10040277

01 FC:201 370.00 OP  
02 FC:202 210.00 OP  
03 FC:205 65.00 OP  
04 FC:203 45.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$510.
  - \$90 for 5 total claims over 20.
  - \$420 for 5 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(i) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1380.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant

desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY